

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AVALON HOLDINGS CORP.,

Plaintiff,

v.

GUY GENTILE and
MINTBROKER INTERNATIONAL, LTD.

Defendants.

No. 18-Civ-7291-VSB

(ECF)

Related to:

NEW CONCEPT ENERGY, INC.

Plaintiff,

v.

GUY GENTILE and
MINTBROKER INTERNATIONAL, LTD.

Defendants.

No. 18-Civ. 8896-VSB

NOTICE OF MOTION OF ADAM C. FORD TO DISMISS OR TRANSFER

PLEASE TAKE NOTICE that upon the annexed: (1) Declaration of Adam C. Ford in Support of Motion to Dismiss of Transfer dated December 27, 2018, together with the exhibits annexed thereto; (2) Affidavit of Guy Gentile in Support of Motion to Dismiss of Transfer dated December 21, 2018; (3) Affidavit of MintBroker International Ltd. (Bahamas) in Support of Motion to Dismiss of Transfer dated December 20, 2018; and (4) the accompanying Memorandum of Law in Support of Motion to Dismiss of Transfer dated December 27, 2018, Defendants, by and through their undersigned counsel, will move to dismiss or to transfer in this Court pursuant to 12(b)(3) and 12(b)(6) of the Federal Rules of Civil Procedure at the United

States Courthouse, Southern District of New York, 500 Pearl Street, New York, NY 10007, on such date and at such time as the Court may direct, for an order granting Defendants instant Dismissal or Transfer with respect to and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
December 27, 2018

FORD O'BRIEN LLP

By: /s/ Adam C. Ford
Adam C. Ford
Robert S. Landy
575 Fifth Avenue, 17th Floor
New York, NY 10017
aford@fordobrien.com
rlandy@fordobrien.com

*Attorneys for Guy Gentile and MintBroker
International Ltd. (Bahamas)*

TO:

All Counsel of Record (via ECF)